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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/821,615 | 04/09/2004 | Jeff Bremmon | 3156.10US02 | 8944 |
| 24113 | 7590 | 06/30/2005 | EXAMINER | |
| PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A. | | | WUJCIAK, ALFRED J | |
| 4800 IDS CENTER | | | ART UNIT | |
| 80 SOUTH 8TH STREET | | | PAPER NUMBER | |
| MINNEAPOLIS, MN 55402-2100 | | | 3632 | |

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,615

Applicant(s)

BREMMON ET AL.

Examiner

Alfred Joseph Wujciak III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/9/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/26/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is the first Office Action for the serial number 10/821,615, ADAPTABLE MOUNTING SYSTEM FOR FLAT PANEL DISPLAY, filed on 4/9/04.

Specification

The disclosure is objected to because of the following informalities: On page 7, lines 21-22 and page 8, lines 1-2, "Further details concerning the connection and fastening buttons 110 are contained in co-pending U.S. utility application serial number ____, entitled 'Flat Panel Display Mounting System' which claims the benefit of U.S. Provisional Patent Application No. 60/462,411 having the same title, said applications commonly owned by the owners of the present invention and each of which is fully incorporated herein by reference" has not been considered because it is not listed in the information disclosure sheet and the applicant needs to put the number in the "application serial number ____".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11, line 1, "claim 6" is indefinite because it has been cancelled and it should be changed to ---claim 12--- for clarification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by
US Patent # 6,719,255 to Chen.

Chen teaches a mounting system (figure 2) comprising a display interface (10-20) having at least one arcuate shape region adapted to engage the elongate member and a generally u-shaped draw clamp portion (30) opposing the arcuate shaped region. The draw clamp having a pair of spaced apart generally planar generally parallel side portions (32). The system includes at least one threaded fastener (46) engaged with the display interface and the draw clamp portion. The display interface comprises a member engaging portion (104) and a display engaging portion (204). The member engaging portion having at least one arcuate shaped region (106) therein. The display engaging portion being selectively adjustably pivotally adjustable relative to the member engaging portion.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of US Patent # 5,918,841 to Sweere et al.

Chen teaches a (figure 2) comprising a display interface (10-20) having at least one first portion/arcuate shaped region (20) adapted to engage the elongate member and a generally u-shaped draw clamp portion (30) opposing the first portion. The draw clamp having at least one member engaging portion (32) with a pair of flat regions with an arcuate shaped region therebetween/ pair of spaced apart generally planar generally parallel side portions. The system includes a pair of selectively adjustable biasing elements/ at least one threaded fastener (46) engaged with the display interface and the draw clamp portion. The first portion comprises a channel having a pair of spaced apart edges (located in the u-shaped section of first portion). The display interface comprises a member engaging portion (104) and a display engaging portion (204). The member engaging portion having at least one arcuate shaped region (106) therein. The display engaging portion being selectively adjustably pivotally adjustable relative to the member engaging portion.

Chen teaches the system for suspending a device (col. 1, lines 13-15) but fails to teach the device is a flat panel display. Sweere et al. teaches the device is a flat panel display (216). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have used Chen's device as flat panel display as taught by Sweere et al. to mount the display on an cylindrical object like pole.

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In regard to claims 11-17, Chen teaches the draw clamp portion but fails to teach a plurality of draw clamp portions. Sweere et al. teaches plurality of draw clamp portion (1216a). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added additional draw clamp portion to Chen's system as taught by Sweere et al. to provide additional support on a cylindrical object to reduce stress on one draw clamp when supporting a long period of weight from flat panel display.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent # 6,342,138 to Brown

US Patent # 6,766,992 to Parker

US Patent # 2002/0179789 to Conner et al.

US Patent # 2004/0262474 to Boks et al.

US Patent # 2004/0238714 to Slatter et al.

Brown, Parker, Conner et al., Boks et al. and Slatter et al. teach clamp for mounting an object on the cylindrical object.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (571) 272-6815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III

Examiner

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A handwritten signature in black ink, appearing to read "A. Joseph Wujciak III", with a stylized flourish at the end.

6/16/05